

REMARKS

Claim rejections under 35 USC 103

Claims 1-35 have been rejected under 35 USC 103(a) as being unpatentable over Grasso (2002/0116291) in view of Hamzy (6,623,527). Claims 1, 8, 19, and 26 are independent claims, from which the remaining claims rejected on this basis ultimately depend. Applicant submits that claims 1, 8, 19, and 26 are patentable over Grasso in view of Hamzy, such that all the pending claims are patentable over Grasso in view of Hamzy.

Claim 1 is discussed as representative of all the independent claims 1, 8, 19, and 26, insofar as patentability over Grasso in view of Hamzy. Applicant would like to take a moment to parse claim 1 so that it is understood what the claimed invention is directed to. It is believed that once the claimed invention of claim 1 is properly understood, it will be readily apparent that Grasso in view of Hamzy does not render the claimed invention unpatentable.

Let us first look at the first two steps or acts of claim 1. Data that is at least partially obtained from an enterprise resource planning system is configured, and then stored. Next, in the third step or act, one or more generic access instructions are sent from a first server, such that, in the first step or act, the data that has already been configured and stored is identified based on these generic access instructions, for printing this data. Finally, in the fifth step or act, a printing apparatus having an embedded web service supplies a different one of the generic access instructions, which is particularly operable for providing a print dialog box with selectable options for printing the data (that has been identified) using the printing apparatus.

Therefore, you can logically divide the method of claim 1 into three sections. First, data is configured and then stored. Second, generic access instructions from a first server identify this data as has already been stored for subsequent printing thereof. Third, another, different generic access instruction is supplied from a printing apparatus so that this identified data can be printed

on the printing apparatus. It is thus useful to so compartmentalize these different parts and acts of the method of claim 1 in order to understand what claim 1 is directed to.

Now, let us look at what Grasso in view of Hamzy teaches, before we even attempt to overlay these teachings in view of the limitations of claim 1. The Examiner has primarily relied upon Grasso as disclosing the claimed invention, except for the printing apparatus-related limitations, which he instead finds in Hamzy. Therefore, Applicant likewise concentrates on Grasso, but is cognizant that the instant rejection is indeed proffered over Grasso in view of Hamzy. However, insofar as Grasso does not teach the limitations of the claimed invention for which it has been relied upon, then Grasso in view of Hamzy of course can also not render the claimed invention obvious.

In Grasso, then, “users 50 access the services provided by service provider 210 via the Internet 150.” (Para. [0057]) In particular,

[t]o access the services, user 50 prints a document 120 through a local printer 112, which is connected to the service provider 210. The service provider 210 records the document 120 in the digital archive it hosts for the user 50. It also process[es] the print job in order to provide the various document services. This processing may include storing a copy of the printed document 120 . . . and other services. Service provider 210 then transmits the print job to the user’s printer 112 where the document is produced.

(Para. [0058]) Rather than this flow, what can also happen is “[t]o minimize the time delay caused by sending the print document to service provider 210 which processes the document before [it] is released, an alternative approach is to sent a copy of the print job to the service provider (a carbon copy to the service provider rather than print through it).” (Para. [0063]) In any case, thereafter, “[t]he user 50 picks up the print job from his own printer 112.” (Para. [0059]) As such, “[t]he user 50 can access browse, search and any other service via the web site 130 of the service provider 210.” (Id.) An example of such a service is “[a] permanent archival of printed documents.” (Para. [0062]) Furthermore, such user requests for services may be

achieved by “[t]he service provider . . . provid[ing] an XML interface through which document content and users requests can be passed.” (Para. [0064])

Let us boil down what Grasso teaches in paragraphs [0057]-[0064] a bit. A user accesses services provided by a service provider. To start this process, the user prints a document – i.e., the user initiates printing of a document. In particular, the service provider either initially receives the document upon the user requesting this document to be printed (para. [0058]) or intercepts the document as it is being printed (para. [0063]), and stores the document. The user picks up the printed document (which may be printed by the service provider sending the document for printing, as in para. [0058], or printed directly from the user’s computer, as in para. [0063]). The user then can access services related to this document (as stored by the service provider), which are provided by the service provider, via web access.

Thus, the entire process in Grasso, and therefore in Grasso in view of Hamzy, is predicated upon a user printing a document. The user initiating the printing process causes a digital copy of the document to be stored at the service provider. Once the document has been printed, the user can then access services provided by the service provider that are related to the document as to which the digital copy thereof has been previously stored.

On a most general level, then, it should be readily apparently why Grasso in view of Hamzy does not teach, disclose, or suggest the claimed invention. In the claimed invention, you first configure data, store the data, send instructions that identify the data that has been stored for printing the data, and then a printing apparatus sends other instructions so that the data that has been stored and identified can be accessed and printed at the printing apparatus. The process of Grasso in view of Hamzy, however, is nearly the complete opposite! In Grasso in view of Hamzy, the data is not stored until the printing process has already been initiated. No instructions are needed to identify the data that has been stored for access thereto for printing the document, as in the claimed invention, insofar as the data is not even stored until printing of the document has been initiated.

That is, at a most general level, you can look at the claimed invention as providing the following process: configuring data → storing data → sending instructions → identifying the stored data based on these instructions → sending instructions for printing the data as has been stored and identified. By comparison, at a most general level, Grasso in view of Hamzy at best teaches the following process: configuring data → printing data → storing the data. In the claimed invention, the data is first configured and stored, and then instructions have to be sent so that this data can be identified so that the data can be accessed for printing. In contradistinction, in Grasso in view of Hamzy, the data is stored *as part of the printing process* – specifically in response to the printing process being initiated. **In Grasso in view of Hamzy, in other words, there is no need to send access instructions to identify the data that has been stored so that the data can be printed, since the data is not even stored in the first place until printing of the data has been initiated.**

At a more specific level, let us look more closely at the limitation of claim 1 in which one or more generic instructions are sent from a first server “to identify said data *as has already been stored* so that said data can be printed.” The Examiner has identified paragraph [0063] of Grasso as particularly teaching this limitation. Now, as has been described above, paragraph [0063] teaches a different way by which the service initiation process of paragraph [0058] can be started. That is, in paragraph [0058], Grasso says that when a user prints a document, it is sent to the service provider, stored there, and then sent back to the user’s local printer for printing. By comparison, in paragraph [0063], Grasso says that what you can do is instead have the user’s print spooler/driver print the document at the printer, and at the same time have the service provider receive the data it needs from the document for storing the document, in order to “minimize the time delay caused by sending the print document to service provider 210 which process the document before the document is released” for printing. (Para. [0063])

Therefore, neither in paragraph [0063] – nor in paragraph [0058] – does Grasso’s service provider (i.e., its server) send instructions for identifying the data as has already been stored so

that the data can be printed. In paragraph [0063], the user initiates printing of the data. While the document is being processed in the local spool/driver, the data is concurrently sent to or accessed by the service provider so that the service provider can store the data. No instructions can be sent for identifying the data *as has already been stored*, for the simple reason that the data has not yet been stored! Likewise, no instructions can be sent so that the data can be printed, since *printing has already been initiated*! Similarly, in paragraph [0058], the user initiates printing of the data, which causes the data to be sent to the service provider, stored there, and sent back to the local printer for printing. No instructions are sent *for identifying the data* for printing the data, since the data has already been identified! Likewise, no instructions are sent by the service provider so that the data can be printed, since the user has already sent an instruction for printing the data (i.e., the user has already initiated printing)!

In summary, then, the process flow of Grasso in view of Hamzy is quite different than that to which the claimed invention is directed. As a result, Grasso in view of Hamzy does not yield the claimed invention *prima facie* obvious. However, Applicant is potentially amenable to any suggested additions to the claim language from the Examiner if such added claim language would satisfy the Examiner as to the patentable distinction between the claimed invention and that which is disclosed in Grasso in view of Hamzy. In this respect, the Examiner is very much encouraged to contact Applicant's representative, Mike Dryja, at the phone number listed below with such suggestions.

Conclusion

Applicants have made a diligent effort to place the pending claims in condition for allowance, and request that they so be allowed. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Mike Dryja, Applicants' Attorney, at 425-427-5094, so that such issues may be resolved as expeditiously as possible. For these reasons, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,



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Date

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